

REMARKS

Claims 1-21, and 23-37 are pending in this application. By this Amendment, claim 22 is cancelled without prejudice or disclaimer and new claims 33-37 are added.

Figures 1 and 2 stand objected to based on a labeling informality. Figures 1 and 2 now are labeled as "Prior Art". Hence withdrawal of the objections is respectfully requested.

Claims 8-11, 13-21, 24-30, and 32 stand rejected under 35 U.S.C. § 102(e) over U.S. Patent Publication No. 2004/0139157 to Neely et al. (hereinafter, "Neely"). The rejection is respectfully traversed.

Neely fails to disclose all the claimed features, as required under Section 102(e). Neely fails to disclose or teach, *inter alia*, "the index value indicates whether the multimedia message is a new multi media message or a previously sent multimedia message" and combination thereof, as recited in independent claim 8 and 26. The Patent Office asserts that such features are disclosed at page 1, paragraph [0005], page 2, paragraph [0012], page 8, paragraph [0081], page 10, paragraph [0097], page 9, paragraph [0087], page 4, paragraph [0043], and page 8, paragraph [0079] of Neely. However, such disclosure is not related to the features recited in independent claim 8 and 26.

Neely only discloses that the value of the index corresponds to the sequence field of one the plurality of the media descriptor (see, e.g., page 6, paragraph 69), and the sequence field is an integer typed field and establishes the descriptor object's sequence order in the structure (see,

e.g., page 7, paragraph 70). Such disclosures fail to disclose or teach features of the index value indicating whether the multimedia message is a new multi media message or a previously sent multimedia message, as recited in independent claim 8 and 26. For similar reasons, Neely fails to disclose or teach, *inter alia*, “an index value that indicates whether the multimedia message is a new multimedia message or a previously received multimedia message,” and combination thereof, as recited in independent claim 20.

Claims 9-11, 13-19; 21, 24-25; and 27-30, and 31 are dependent claims of independent claims 8, 20, and 26, and, the combination of features is not disclosed or taught for the same reasons.

Neely fails to disclose or teach all the features and the combination thereof. Hence, withdrawal of this Section 102(e) rejection is respectfully requested.

Claims 1-7, 12, 23, and 31 stand rejected under 35 U.S.C. § 103(a) over Neely in view of U.S. Patent 5,768,513 to Kuthyar et al. (hereinafter, “Kuthyar”). The rejection is respectfully traversed.

As acknowledged by the Patent Office, Neely does not teach forwarding the multimedia message based on the set index value, as recited in independent claim 1. The Patent Office concludes that such features are disclosed in Kuthyar in column 5, lines 20-25, and column 1, lines 58-60. However, Kuthyar only discloses that “certain mailbox management functions are preferably available while the summary message information is being displayed at step 74. For

example, at step 76, message mailbox management functions such as deleting, archiving, annotating, or forwarding multimedia messages can be performed.” Kuthyar does not teach or suggest forwarding the multimedia message based on the set index value and the combination thereof, as recited in independent claim 1.

Dependent claims 2-7, 12, 23, and 31 are allowable at least for the reasons set forth above with respect to independent claims 1, 8, 20, and 26, from which they respectively depend, as well as for their added features. Accordingly, it is respectfully submitted that the claims 2-7, 12, 23, and 31 are allowable over the applied combination, and thus the rejection of claims 2-7, 12, 23, and 31 under 35 U.S.C §103(a) over Neely, and Kuthyar should be withdrawn.

Hence, a *prima facie* case of obviousness has not been established, and withdrawal of this Section 103 rejection is respectfully requested

CONCLUSION

In view of the foregoing amendments and remarks, Applicant submits that claims 1-21, and 23-37 are now in condition for allowance. Accordingly, early allowance of such claims is respectfully requested. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **Daniel Y.J. Kim**, at the telephone number listed below.

Serial No. **10/726,648**
Amendment dated **September 17, 2007**
Reply to Office Action of **June 15, 2007**

Docket No. **P-0593**

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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